

COUNSEL LISTED ON FOLLOWING PAGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

K. OLIVER,

Plaintiff,

v.

MICROSOFT CORPORATION AND DOES
1-25, INCLUSIVE,

Defendants.

Case No. CV 12 00943 RS

**JOINT STIPULATION AND
[PROPOSED] ORDER TO CONTINUE
HEARING ON DEFENDANT'S
MOTION TO DISMISS AND STRIKE
PLAINTIFF'S CLAIMS**

Date: August 9, 2012
Time: 1:30 p.m.
Place: Courtroom 3
Judge: The Hon. Richard Seeborg

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Attorneys for Defendant
MICROSOFT CORPORATION

Pursuant to Civil Local Rule 6-2 and 7-12, Plaintiff K. Oliver and Defendant Microsoft Corporation, by and through their respective counsel of record, hereby submit this Stipulation and Proposed Order seeking a continuance of the Hearing on Defendant's Motion to Dismiss and Strike Plaintiff's Claims currently scheduled for August 9, 2012.

WHEREAS, Defendant noticed its Motion to Dismiss and Strike Plaintiff's Claims for August 9, 2012, at 1:30 p.m.;

WHEREAS, Plaintiff's counsel is unavailable August 9, 2012 through August 28, 2012 due to a surgical procedure;

WHEREAS, Defendant's counsel and Plaintiff's counsel are both available on September 27, 2012 at 1:30 p.m. and amenable to continuing the Hearing on Defendant's Motion to Dismiss and Strike Plaintiff's Claims to that date;

WHEREAS, the continuance of the Hearing on Defendant's Motion to Dismiss and Strike Plaintiff's Claims will not affect any other dates and deadlines in this matter;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT:

The Hearing on Defendant's Motion to Dismiss and Strike Plaintiff's Claims, presently scheduled for August 9, 2012, is continued to September 27, 2012, at 1:30 p.m., or as soon thereafter as the Court's schedule will allow.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: June 28, 2012

KATHLEEN M. LUCAS
SHAWNA B. CASEBIER
THE LUCAS LAW FIRM

By: /s/ Kathleen M. Lucas
Kathleen M. Lucas
Attorneys for Plaintiff K. Oliver

Dated: June 28, 2012

LYNNE C. HERMLE
JESSICA R. PERRY
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By: /s/ Lynne C. Hermle
Lynne C. Hermle
Attorneys for Defendant Microsoft Corporation

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The Hearing on Defendant's Motion to Dismiss and Strike Plaintiff's Claims is continued to September 27, 2012, at 1:30 p.m.

Dated: 7/3/12



The Honorable Richard Seeborg
United States District Judge